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CLERK U.S. DISTRICT COURT
CENTRAL DIST OF CALIF.
LOS ANGELES

BY:

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6

7 **UNITED STATES DISTRICT COURT**
8 **CENTRAL DISTRICT OF CALIFORNIA**

9 SEUNGTAE KIM, an Individual;

10 Plaintiff,
11 vs.

12 BMW FINANCIAL SERVICES NA,
LLC., a business entity; EQUIFAX
13 INFORMATION SERVICES LLC, a
business entity; EXPERIAN
14 INFORMATION SOLUTIONS, INC., a
Corporation; TRANSUNION, LLC., a
15 business entity, and DOES 1-10,
Inclusive,

16 Defendants.

17 } Case No.:
18 } CV14-1752 JCG
19 } COMPLAINT FOR DAMAGES:
20 }

1. FAIR CREDIT REPORTING ACT.
2. CALIFORNIA IDENTIY THEFT
LAW
3. ROSENTHAL FAIR CREDIT
COLLECTION PRACTICES ACT
4. CALIFORNIA CONSUMER
CREDIT REPORTING AGENCIES
ACT

21 Plaintiff alleges:
22 1. Plaintiff SUNGTAE KIM ("Plaintiff") is a resident of Los Angeles
23 County, State of California.
24 2. Defendants EQUIFAX INFORMATION SERVICES, LLC
25 ("EQUIFAX"), EXPERIAN INFORMATION SOLUTIONS INC. ("EXPERIAN")
26 and TRANSUNION, LLC. ("TRANSUNION") are business entities, form
27 unknown, doing business in the State of California as credit bureaus which receive
28

COMPLAINT FOR DAMAGES

1 negative credit information about consumers and which then publish such
2 information in credit reports available to its subscribers.

3 3. Defendant BMW FINANCIAL SERVICES NA, LLC., ("BMW FS") is a
4 creditor which, among other activities, reports allegedly delinquent debts to credit
5 bureaus and is a "furnisher" under the Fair Credit Reporting Act.

6 4. Defendants DOES 1-10 are individuals and business entities, form
7 unknown, doing business in the State of California as credit reporting agencies,
8 debt collection agencies, creditors or other persons or entities which engage in
9 credit reporting and/or debt collection. DOES 1-10, Inclusive, includes
10 individuals or business entities doing business in the State of California as credit
11 reporting agencies, debt collectors and/or creditors who have refused to delete
12 accounts of plaintiff that were procured through identity theft, mixed file or other
13 manner of recording an inaccurate credit account, even after plaintiff has notified
14 them of the false or inaccurate derogatory, and also who have reported such
15 accounts as derogatory credit references to credit reporting agencies.

16 5. Plaintiff does not know the true names and capacities, whether corporate,
17 partnership, associate, individual or otherwise of Defendants sued herein as Does
18 1 through 10, inclusive, under the provisions of Section 474 of the California
19 Code of Civil Procedure. Plaintiff is informed and believes and on that basis
20 alleges that Defendants Does 1 through 10, inclusive, are in some manner
21 responsible for the acts, occurrences and transactions as officers, directors or
22 managing agents of Defendants or as its agents, servants, employees and/or joint
23 venturers and as set forth in this complaint, and that each of them are legally liable
24 to Plaintiff, as set forth below and herein:

25 a) Said Officers, directors or managing agents of Defendants personally
26 acted willfully with respect to the matters alleged in this complaint;

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1 a) Said Officers, directors or managing agents of Defendants personally
2 acted willfully with respect to the matters alleged in this complaint;

3 b) Said officers, directors or managing agents of Defendants personally
4 authorized, approved of, adopted and/or ratified the acts alleged herein or the
5 agents, servants, employees and/or joint venturers of Defendants did so act;

6 c) Said officers, directors or managing agents of Defendants personally
7 participated in the acts alleged herein of Defendants;

8 d) Said Officers, directors or managing agents of Defendants personally had
9 close supervision of their agents, servants, employees and/or joint venturers of
10 Defendants;

11 e) Said Officers, directors or managing agents of Defendants personally
12 were familiar with the facts regarding the matters alleged herein;

13 f) Said Officers, directors or managing agents of Defendants personally
14 failed to investigate the circumstances appertaining to the acts alleged herein.
15 They also failed and refused to repudiate the herein alleged actions and failed to
16 redress the harm done to Plaintiff. Further, said Officers, directors, or managing
17 agents of Defendants failed and refused to punish or discharge the said agents,
18 servants, employees and/or joint venturers of Defendants, even after learning of
19 the acts of the agents, servants, employees and/or joint venturers of Defendants.
20 Plaintiffs will seek leave to amend this complaint to set forth the true names and
21 capacities of said fictitiously named Defendants as enumerated above, together
22 with appropriate charging allegations, when learned.

23 6. Plaintiff is informed and believes, and thereon allege that at all relevant
24 times herein each Defendant, whether actually or fictitiously named, was the
25 principal, joint venturer, agent, servant or employee of each other Defendant, and
26 in acting as such within the course, scope and authority of such relationship, took
27 some part in the acts and omissions hereinafter set forth, by reason of which each

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1 Defendant is liable to Plaintiff for the relief prayed for in this complaint, and any
2 future amended complaint. Further, Plaintiff alleges that each act alleged herein,
3 whether by a named Defendants or fictitiously named Defendants or otherwise,
4 was expressly authorized or ratified, as these terms are used in California Civil
5 Code Section 3294(b), by each and every other Defendant herein, whether named
6 or fictitiously named.

7

8 **FIRST CAUSE OF ACTION**

9 **[VIOLATION OF THE FAIR CREDIT REPORTING**

10 **ACT AGAINST EQUIFAX, EXPERIAN, TRANSUNION, BMW FS AND**
11 **DOES 1-10, INCLUSIVE.**

12 7. Plaintiff re-alleges and incorporates all preceding paragraphs as though
13 set forth in full in this cause of action.

14 8. Plaintiff is a consumer as this term is defined by 15 U.S.C. Sec. 1681a(c)
15 of the Fair Credit Reporting Act. All defendants are "furnishers" as defined by 15
16 U.S.C. 1681s-2 of the Fair Credit Reporting Act, except EQUIFAX, EXPERIAN
17 and TRANSUNION who are "consumer reporting agencies" as that term is
18 defined in 15 U.S.C. Section 1681a (f).

19 9. On or about September 6, 2013, Plaintiff discovered that EQUIFAX,
20 EXPERIAN and TRANSUNION were all reporting an account for a car loan from
21 BMW FINANCIAL SERVICES NA, LLC., that was 90 days late starting in June
22 2013.

23 10. On or about September 7, 2013, Plaintiff filed a police report and
24 submitted it to EQUIFAX, EXPERIAN and TRANSUNION in an effort to resolve
25 the identity theft issue.

26 11. On or about September 16, 2013, Plaintiff received a response from
27 EXPERIAN stating it had "processed" his dispute but no change was made to the
28

1 BMW FS account.

2 12. On or about September 23, 2013, Plaintiff completed a BMW FS
3 identity theft affidavit requested by BMW FS. Along with the affidavit Plaintiff
4 enclosed a copy of the police report.

5 13. On or about September 24, 2013, Plaintiff received a response from
6 TRANSUNION indicating that the BMW FS account was verified and there
7 would be no change.

8 14. On or about October 3, 2013, Plaintiff received a response from Equifax
9 indicating that the BMW FS account was verified and it would remain on
10 Plaintiff's credit profile.

11 15. On or about October 8, 2013, Plaintiff received a response from
12 EXPERIAN indicating that BMW FS account was verified and it would remain on
13 Plaintiff's credit profile.

14 16. On or about October 30, 2013, Plaintiff received a letter from BMW FS
15 indicating that they had completed their identity theft investigation and concluded
16 that after a thorough review of documentation and notes on his account did not
17 support an identity theft claim; therefore BMW FS would not be removing the
18 tradeline from his credit profile.

19 17. On or about November 22, 2013, Plaintiff filed a second police report
20 with the Los Angeles Police Department.

21 18. On or about December 5, 2013, Plaintiff received a credit report that
22 was still reporting the BMW FS car loan, except that now the month of June was
23 no longer showing as 30 days late but showing as "ok".

24 19. Plaintiff complied with all requests of each of the Defendants to
25 provide information in order to have the erroneous marks removed from his credit
26 reports. Despite the insistence of Plaintiff, the Defendants, and each of them,
27 failed to correct the errors and failed to undertake sufficient investigations upon
28

1 being notified of the errors.

2 20. Within the past several years, Defendants, and each of them, willfully
3 violated the provisions of the Fair Credit Reporting Act in *at least* the following
4 respects:

5 a. By willfully and negligently failing, in the preparation of the consumer
6 report concerning Plaintiff, to follow reasonable procedures to assure maximum
7 possible accuracy of the information in the report;

8 b. By willfully and negligently failing to correct, after receiving ample
9 notice, information about the Plaintiff which defendants knew, or should have
10 known, was incomplete and/or inaccurate;

11 c. By willfully and negligently failing to correct and/or delete the
12 incomplete and inaccurate information in Plaintiff's file after conducting an
13 investigation:

14 d. By willfully and negligently failing to conduct an adequate investigation
15 of Plaintiff's complaints, and by willfully and negligently failing to implement
16 corrective actions once the outcome of such investigations were known, or should
17 have been known, to the defendants;

18 e. By willfully and negligently failing to provide subsequent users of the
19 report with the Plaintiff's statement of dispute or a summary thereof;

20 f. By willfully and negligently changing account numbers and account
21 number designations so as to make reinvestigation and deletion more difficult for
22 the consumer, but in turn more lucrative for bureaus and furnishers because
23 derogatory account information will remain on credit reports longer;

24 g. By willfully and negligently failing to provide notice to Plaintiff of the
25 furnishing of negative credit information to credit reporting agencies,

26 h. By willfully and negligently failing to place a fraud alert on plaintiff's
27 credit files, as required by 15 U.S.C. Section 1681c-1;

i. By willfully and negligently failing to put a block on the identity theft account or accounts, as required by 15 U.S.C. Section 1681s-2; and,

j. By willfully and negligently failing to provide such information to the credit bureaus indicating the full nature, reasons and extent of Plaintiff's dispute, and thus causing the credit report to the credit bureaus to be inaccurate and incomplete.

7 21. As a proximate result of the actions of the Defendants, and each of
8 them, Plaintiff has been damaged in an amount which will be proven at time of
9 trial. As provided under the cited law, Plaintiff is entitled to actual damages, pain
10 and suffering, punitive damages, penalties, costs and attorney fees.

11 22. Plaintiff alleges that defendants, and each of them, have willfully
12 violated FCRA with respect to Plaintiff and towards others similarly situated.
13 Specifically, defendants deliberately have inefficient procedures for correcting
14 their credit files, because they know that a certain number of consumers will either
15 be intimidated or too frustrated to continuously fight back against the constant
16 onslaught of collection activities for invalid debts. Defendants, and each of them,
17 know that a certain number of consumers would rather pay than fight, even if the
18 debt is not actually owed. These defendants know that their systems intimidate
19 consumers so they'll pay debts even if not valid or not completely valid. These
20 facts were not disclosed to the Plaintiff and are not disclosed to the borrowing
21 public at large.

SECOND CAUSE OF ACTION

VIOLATION OF CALIFORNIA IDENTITY THEFT

LAW, CIV. CODE SECTION 1798.92 et seq.,

AGAINST BMW FS AND DOES 1-10, INCLUSIVE.

23. Plaintiff incorporates all preceding paragraphs as though alleged in full in this cause of action.

24. In continuing credit reporting and debt collection activities against plaintiff after he had reported to them the identity theft situation and after providing them with a police report, BMW FS and DOES 1-10, Inclusive, willfully violated the California Identity Theft Law, Civ. Code Section 1798.92 et seq.

25. Plaintiff has suffered actual damages, including general, special, incidental and consequential damages, and is also entitled to attorney's fees and costs under the California Identity Theft Law. In addition, plaintiff alleges that defendants BMW FS and DOES 1-10, Inclusive, specifically violated Civ. Code Section 1798.93 (c) (6), thereby entitling him to a \$30,000.00 penalty, in addition to any other damages which may be assessed.

THIRD CAUSE OF ACTION

**VIOLATION OF CALIFORNIA ROSENTHAL ACT
AGAINST BMW FS AND DOES 1-10, INCLUSIVE.**

26. Plaintiff incorporates all preceding paragraphs as though alleged in full in this cause of action.

27. In continuing debt collection and credit-reporting activities after the point where plaintiff notified defendants of the identity theft situation, and after he provided them with a police report of the identity theft, defendants BMW FS and DOES 1-10, Inclusive, willfully and knowingly violated the California Rosenthal Act, and specifically violated Civ. Code Section 1788.18. Defendants BMW FS also violated 15 U.S.C. Section 1691e (8), regarding false credit reporting, which section of the federal FDCPA is incorporated into the Rosenthal Act.

28. Plaintiff has suffered actual damages, including general, special, incidental and consequential damages, and is also entitled to attorney's fees and costs under the Rosenthal Act. In addition, plaintiff alleges that defendants BMW

1 FS and DOES 1-10, Inclusive, specifically violated Civ. Code Section 1788.18
2 and 15 USC Section 1691e (8), thereby entitling him to a statutory penalty, in
3 addition to any other damages which may be assessed.

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5 **FOURTH CAUSE OF ACTION**

6 **[VIOLATION OF CALIFORNIA CONSUMER CREDIT
7 REPORTING AGENCIES ACT
8 AGAINST BMW FS AND DOES 1-10, INCLUSIVE.]**

9 29. Plaintiff incorporates all preceding paragraphs as though alleged in full
10 in this cause of action.

11 30. In committing the false credit reporting and in continuing to falsely
12 credit-report plaintiff after notice from him and from the credit bureaus, and after
13 he provided a police report defendants BMW FS and DOES 1-10, Inclusive, have
14 violated Cal. Civ. Code Section 1785.25 (a).

15 31. As a consequence of these violations, Plaintiff has suffered both general
16 and special damages according to proof, as well as punitive damages under the
17 CCRAA statute, attorney's fees and costs.

18

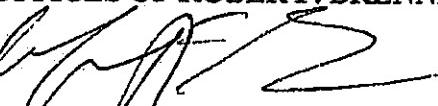
19 WHEREFORE, Plaintiff prays for judgment as follows:

- 20 1. For general and special damages according to proof at trial;
21 2. For statutory penalties for each separate statutory violation where
22 allowed by statute;
23 3. For punitive damages against defendants according to proof at trial and
24 using the applicable punitive damages standards from the involved statutes;
25 4. For attorney's fees where authorized by statute or law;
26 5. For costs of suit;
27 6. For such other relief as the court deems just and proper.

1 **PLAINTIFF DEMANDS A JURY TRIAL.**
2

3 Dated: March 6 2014

4 **LAW OFFICES OF ROBER F. BRENNAN, A P.C.**

5 By: 
6 Robert F. Brennan
7 Attorney for Seungtae Kim

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

<p>(a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/> SEUNG TAB KIM an Individual;</p> <p>(b) County of Residence of First Listed Plaintiff (Except in U.S. Plaintiff Cases): San Diego, California</p> <p>(c) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) Robert F. Brennan, Esq. SBN 132449 LAW OFFICES OF ROBERT F. BRENNAN A.P.C. 3150 Montrose Ave. La Crescenta, CA 91214 Telephone 818-249-5291</p>	<p>DEFENDANTS BMW FINANCIAL SERVICES NA, LLC., a business entity; EQUIFAX INFORMATION SERVICES LLC, a business entity; EXPERIAN INFORMATION SOLUTIONS, INC., et al.</p> <p>County of Residence of First Listed Defendant (In U.S. Plaintiff Cases Only): Los Angeles, California</p> <p>Attorneys (If Known)</p>											
<p>II. BASIS OF JURISDICTION (Place an X in one box only.)</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;"><input type="checkbox"/> 1 U.S. Government Plaintiff</td> <td style="width: 50%;"><input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)</td> </tr> <tr> <td><input type="checkbox"/> 2 U.S. Government Defendant</td> <td><input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)</td> </tr> </table>		<input type="checkbox"/> 1 U.S. Government Plaintiff	<input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)	<input type="checkbox"/> 2 U.S. Government Defendant	<input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)							
<input type="checkbox"/> 1 U.S. Government Plaintiff	<input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)											
<input type="checkbox"/> 2 U.S. Government Defendant	<input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)											
<p>III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.)</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">Citizen of This State</td> <td style="width: 50%; text-align: center;"><input type="checkbox"/> PTF <input type="checkbox"/> DEF</td> <td style="width: 50%; text-align: center;"><input type="checkbox"/> PTF <input type="checkbox"/> DEF</td> </tr> <tr> <td>Citizen of Another State</td> <td><input type="checkbox"/> 2 <input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td><input type="checkbox"/> 3 <input type="checkbox"/> 3</td> <td>Foreign Nation</td> </tr> </table>		Citizen of This State	<input type="checkbox"/> PTF <input type="checkbox"/> DEF	<input type="checkbox"/> PTF <input type="checkbox"/> DEF	Citizen of Another State	<input type="checkbox"/> 2 <input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3 <input type="checkbox"/> 3	Foreign Nation		
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Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3 <input type="checkbox"/> 3	Foreign Nation										
<p>IV. ORIGIN (Place an X in one box only.)</p> <p><input checked="" type="checkbox"/> 1 Original <input type="checkbox"/> 2 Removed from State Court <input type="checkbox"/> 3 Remanded from Appellate Court <input type="checkbox"/> 4 Reinstated or Reopened <input type="checkbox"/> 5 Transferred from another district (specify): <input type="checkbox"/> 6 Multi-District Litigation <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge</p>												
<p>V. REQUESTED IN COMPLAINT: JURY DEMAND: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Check 'Yes' only if demanded in complaint.)</p> <p>CLASS ACTION under F.R.C.P. 23: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No MONEY DEMANDED IN COMPLAINT: \$ 300,000</p>												
<p>VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.) Fair Credit Reporting Act 15 U.S.C. Sec. 1681</p>												
<p>VII. NATURE OF SUIT (Place an X in one box only.)</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; vertical-align: top;"> OTHER SUBJECT MATTER <ul style="list-style-type: none"> <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input checked="" type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities /Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes </td> <td style="width: 25%; vertical-align: top;"> CONTRACT <ul style="list-style-type: none"> <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190. Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise </td> <td style="width: 25%; vertical-align: top;"> TORTS <ul style="list-style-type: none"> <input type="checkbox"/> 210. Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property </td> <td style="width: 25%; vertical-align: top;"> PERSONAL PROPERTY <ul style="list-style-type: none"> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability </td> </tr> <tr> <td style="vertical-align: top;"> PRISONER OF WAR <ul style="list-style-type: none"> <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition </td> <td style="vertical-align: top;"> BANKRUPTCY <ul style="list-style-type: none"> <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 </td> <td style="vertical-align: top;"> COMMERCE <ul style="list-style-type: none"> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights </td> <td style="vertical-align: top;"> LABOR <ul style="list-style-type: none"> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. 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Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act 	PROPERTY RIGHTS <ul style="list-style-type: none"> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark 	REGULATED SECURITIES <ul style="list-style-type: none"> <input type="checkbox"/> 851 HIA (1395f) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) 	FEDERAL TAXES <ul style="list-style-type: none"> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
OTHER SUBJECT MATTER <ul style="list-style-type: none"> <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input checked="" type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities /Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes 	CONTRACT <ul style="list-style-type: none"> <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190. Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise 	TORTS <ul style="list-style-type: none"> <input type="checkbox"/> 210. Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property 	PERSONAL PROPERTY <ul style="list-style-type: none"> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability 									
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<p>VIII(a). IDENTICAL CASES: Has this action been previously filed and dismissed, remanded or closed? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If yes, list case number(s):</p>												
<p>FOR OFFICE USE ONLY: Case Number: <u>CV-14-1752</u></p>												

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

VIII(b). RELATED CASES: Have any cases been previously filed that are related to the present case? No Yes

If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) A. Arise from the same or closely related transactions, happenings, or events; or
 B. Call for determination of the same or substantially related or similar questions of law and fact; or
 C. For other reasons would entail substantial duplication of labor if heard by different judges; or
 D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: List the California County, or State if other than California, in which EACH named plaintiff resides (Use an additional sheet if necessary)

Check here if the U.S. government, its agencies or employees is a named plaintiff.

Los Angeles, California

List the California County, or State if other than California, in which EACH named defendant resides. (Use an additional sheet if necessary).

Check here if the U.S. government, its agencies or employees is a named defendant.

TRANS UNION - Delaware

EQUIFAX - Georgia

BMW FS - Delaware

List the California County, or State if other than California, in which EACH claim arose. (Use an additional sheet if necessary)

Note: In land condemnation cases, use the location of the tract of land involved.

Los Angeles County

X. SIGNATURE OF ATTORNEY (OR PRO PER): _____

Date March 7, 2014

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))